



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

### TIDEWATER REGIONAL OFFICE

5636 Southern Boulevard, Virginia Beach, Virginia 23462

(757) 518-2000 Fax (757) 518-2009

[www.deq.virginia.gov](http://www.deq.virginia.gov)

Doug Domenech  
Secretary of Natural Resources

David K. Paylor  
Director

Maria R. Nold  
Regional Director

September 29, 2011

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Joseph Campbell  
Director of Operations  
Perdue Farms, Inc.  
22520 Lankford Highway  
Accomac, VA 23301

RE: Reissuance of VPDES Permit No. VA0003808  
Perdue Farms, Inc.  
Accomac, VA 23301

Dear Mr. Campbell:

The enclosed effluent limitations and monitoring requirements for the above referenced permit have been approved. Additionally, enclosed is a copy of the fact sheet page that describes public participation in the permitting process. Please replace the page in fact sheet that you received with the draft permit with this page.

Your permit is also enclosed. In accordance with the permit, you are required to submit monitoring reports to the following address:

Department of Environmental Quality (DEQ)  
Tidewater Regional Office  
5636 Southern Boulevard  
Virginia Beach, VA 23462

The reporting forms are included with the permit. You will be responsible for obtaining additional copies of the reporting forms. The first report (DMR) is due for the month of October 2011 by November 10, 2011.

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a notice of appeal in accordance with the Rules of the Supreme Court of Virginia with the Director, Department of Environmental Quality. In the event that this decision is served on you by mail, three days are added to that period.

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Accomac, VA  
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Alternatively, any owner under Section 62.1-44.16, 62.1-44.17, and 62.1-44.19 of the State Water Control Law aggrieved by any action of the State Water Control Board taken without a formal hearing, or by inaction of the Board, may demand in writing a formal hearing of such owner's grievance, provided a petition requesting such hearing is filed with the Board. Said petition must meet the requirements set forth in Section 1.23(b) of the Board's Procedural Rule No. 1. In cases involving actions of the Board, such petition must be filed within thirty days after notice of such action is mailed to such owner by certified mail.

DEQ has launched an e-DMR program that allows you to submit the effluent data electronically. We anticipate that in the near future all permittees will be participants in the e-DMR program. There are many benefits to both DEQ and the permittee when e-DMR is utilized for submissions:

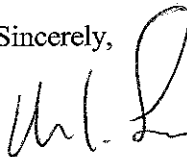
- 1) Fewer revisions for data since the e-DMR program automatically flags omissions before the data is submitted;
- 2) Cost savings on postage, copying, and paper;
- 3) No concerns about using the most current DMR – e-DMR refreshes the required parameters automatically when changes are needed;
- 4) Submittals can be made on a timelier basis; and
- 5) Electronic signatures from multiple people are allowed and e-DMR can be accessed from multiple computer locations.

The following website provides details and our regional e-DMR administrator Debbie Kay, phone 757-518-2127, [Deborah.kay@deq.virginia.gov](mailto:Deborah.kay@deq.virginia.gov) can also assist you:

<http://www.deq.virginia.gov/water/edmrfaq.html>

If you have any additional questions, please do not hesitate to contact Debra L. Thompson at 757-518-2162.

Sincerely,



Mark H. Sauer  
Water Permit Manager

MHS/DLT

cc: DEQ - OWPP, TRO File  
EPA - Region III (3WP12)

**PUBLIC NOTICE INFORMATION:** Comment Period: Start Date: August 24 & 31, 2011  
End Date: September 23, 2011

Persons may comment in writing or by e-mail to the DEQ on the proposed reissuance of the permit within 30 days from the date of the first notice. Address all comments to the contact person listed below. Written or e-mail comments shall include the name, address, and telephone number of the writer, and shall contain a complete, concise statement of the factual basis for comments. Only those comments received within this period will be considered. The Director of the DEQ may decide to hold a public hearing if public response is significant. Requests for public hearings shall state the reason why a hearing is requested, the nature of the issues proposed to be raised in the public hearing and a brief explanation of how the requestor's interests would be directly and adversely affected by the proposed permit action.

All pertinent information is on file and may be inspected, and arrangements made for copying by contacting Debra L. Thompson at: Department of Environmental Quality (DEQ), Tidewater Regional Office, 5636 Southern Boulevard, Virginia Beach, VA 23462. Telephone: 757-518-2162 E-mail: [debra.thompson@debra.thompson@dedeq.virginia.gov](mailto:debra.thompson@debra.thompson@dedeq.virginia.gov)

Following the comment period, the Board will make a determination regarding the proposed issuance/reissuance/modification. This determination will become effective, unless the Director grants a public hearing. Due notice of any public hearing will be given.

30. **ADDITIONAL FACT SHEET COMMENTS/PERTINENT INFORMATION:**

The Parker Creek TMDL approved by EPA 11/7/2008 and SWCB 4/27/2009 is titled "Benthic TMDL Development for Parker Creek Virginia".

Debra Thompson & Roger Everton (TRO) spoke w/Mark Smith, EPA on 5-26-11 regarding the proposed Permit and TMDL issue. The current TMDL is under discussion with proposed modifications to delete reference to annual loads and focus on concentration end pt of 0.10 mg/l. DEQ/EPA approval rec'd in-house (DEQ) on 5-31-11, modified TMDL went to Public Notice on June 1<sup>st</sup> (Federal Register). Mark Smith will consider approval of Permit if TMDL is modified (delete numeric annual load requirement). Once documentation of these actions by TMDL staff is acknowledge by EPA(Permits) and approval is rec'd from EPA-Permits, DEQ-TRO Permits will go to Public Notice with the VPDES Permit reissuance. With this timeline, the permit will expire on June 29, 2011, however, will be reissued immediately after public notice.

**DELETED FROM THIS PERMIT IS OUTFALL 007:**

This outfall consisted of an overflow pipe from the vegetated storm water lagoon, which is a 2 million gallon holding lagoon. The potential discharge through this outfall consisted of storm water runoff from industrial related areas to include the processing and rendering plants, paved areas for truck & trailer parking, the garage area and exposure/storage of raw material areas (drippings from refrigerated box trailers, No.6 fuel oil, hydraulic oil, waste oil, kerosene, gasoline, diesel fuel and animal fat). The storage lagoon for these flows is designed to hold a 100-year storm. Flows from this storm water lagoon are pumped to the complexes' #1 plant site lift station which also receives all other wastewater from the processing plant and rendering plant. These flows are then sent to the head of the facilities wastewater treatment plant, receive full treatment and discharge through outfall 001. The facility has informed TRO (Email from Randy Rhoads on 5-25-11) that the discharge pipe will be permanently sealed with concrete. Therefore this outfall will be deleted from the permit. Pipe sealed on June 8, 2011.

In addition, OUTFALL 002 HAS BEEN DELETED FROM THE PERMIT...pipe permanently sealed.

Two (2) Compliance Schedules are included w/ this reissuance. The first is the new TMDL Phosphorus Limit Schedule and the second is for Construction & Implementation of a new Anaerobic Lagoon and Closure of the Old Anaerobic Lagoon. The timeline chronology of the Anaerobic Lagoon issue is attached